

**OFFICE OF THE CHAPTER 13 STANDING TRUSTEE**

Isabel C. Balboa  
Chapter 13 Standing Trustee  
Cherry Tree Corporate Center  
535 Route 38, Suite 580  
Cherry Hill, NJ 08002-2977  
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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
(Camden)**

In Re:

JOHN T. MARCELLUS, JR.  
JESSICA L. MARCELLUS

Debtor(s).

Proceedings in Chapter 13

Case No.: 17-28350-ABA

**TRUSTEE'S STATEMENT PURSUANT  
TO 11 U.S.C. §§ 1302(c), 1106(a)(3), and  
1106(a)(4)**

The Chapter 13 Standing Trustee hereby submits this Statement of Investigation of the financial affairs of the Debtor(s) pursuant to 11 U.S.C. §§ 1302(c), 1106(a)(3) and 1106(a)(4).

1. The Trustee's office has conducted a § 341(a) Meeting of Creditors and a business examination which consisted of the review of the Petition, Schedules A - J, Statement of Financial Affairs, and Statement of Current Monthly Income, including a comparison between the Debtor(s)' filed petition and schedules and Certification of Business Debtor (attached hereto as Exhibit "A").

2. The Trustee, except to the extent that the Court orders otherwise, has investigated the acts, conduct, assets, liabilities, and financial condition of the Debtor(s), the operation of the Debtor(s)' business and the desirability of the continuance of such business, and any other matter relevant to the case or to the formulation of a plan.

3. Furthermore, in connection with the investigation, the Trustee has not ascertained any fact pertaining to fraud, dishonesty, incompetence, misconduct, mismanagement or irregularity in the management of the affairs of Debtor(s), or to a cause of action available to the estate.

Dated: February 16, 2018

ICB: KES  
via first class mail:

JOHN T. MARCELLUS, JR.  
JESSICA L. MARCELLUS

Respectfully submitted,

/s/ ISABEL C. BALBOA  
ISABEL C. BALBOA  
Chapter 13 Standing Trustee

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## OFFICE OF THE CHAPTER 13 STANDING TRUSTEE

Isabel C. Balboa, Chapter 13 Standing Trustee

## Certification of Business Debtor for Independent Contractor and/or 1099 Employee

Note: All fields highlighted in red must be completed.

Debtor(s) Name:

John and Jessica Marcellus

Case Number:

17-28350-ABA

E-mail:

jessicamarcellus@yahoo.com

I, as the Debtor(s) named above, being of full age &amp; duly sworn upon my oath, depose and say:

I'm an Independent Contractor  
for:☒ 1 Company.☐ 2 Companies.☐ 3 Companies.☐ 4 Companies.☐ 5 Companies.☐ 6-10 Companies.☐ More than 10 companies.I'm an Independent Contractor  
for:

The Traveling Vineyard

I'm an Independent Contractor  
for:I'm an Independent Contractor  
for:

The nature of my business is:

Wine Guide

I started as an independent  
contractor (mm/dd/yyyy):

06-11-15

Individual Income Tax Returns  
have been filed with the IRS  
through the year ending:☐ 12/31/2011.☐ 12/31/2012.☐ 12/31/2013.☐ 12/31/2014.☒ 12/31/2015.☒ 12/31/2016.☐ 12/31/2017.☐ 12/31/2018.☐ 12/31/2019.☐ 12/31/2020.☐ Not Required.I have received all 1099-MICS  
through the year ending:☐ 12/31/2011.☐ 12/31/2012.☐ 12/31/2013.☐ 12/31/2014.☒ 12/31/2015.☒ 12/31/2016.☐ 12/31/2017.☐ 12/31/2018.☐ 12/31/2019.☐ 12/31/2020.☐ Not Required.

As an Independent Contractor, I: ☒ have been paid for all work I performed as of the time of filing.  
☐ have not

As an Independent Contractor, I: ☐ have W-2 employees.  
☒ do not have

As an Independent Contractor, I: ☐ use sub-contractors.  
☒ do not use

As an Independent Contractor, I: ☐ do have separate insurance for the work I perform.  
☒ do not

As an Independent Contractor, I: ☒ have an individual license for the work I perform.  
☒ do not have

As an Independent Contractor, my assets, including tools, equipment, inventory and accounts, total: \$0

**YOU MUST SUPPLY THE FOLLOWING DOCUMENT(S) WITH THIS CERTIFICATION OF BUSINESS DEBTOR:**

- ☒ PROVIDE COPIES OF THE LAST TWO (2) YEARS TAX RETURNS, ALONG WITH ALL SUPPORTING SCHEDULES, STATEMENTS, AND 1099-MISC. NOTE: Please redact SS#s (XXX-XX-1234), dependent(s)' names, and birth dates.
- ☐ PROVIDE A COPY OF THE CURRENT INSURANCE POLICIES DECLARATION PAGE. NOTE: If proof of effective insurance is not provided to the Trustee within ten (10) days prior to the first scheduled 341(a) Meeting of Creditors, the Trustee may move to dismiss this case.
- ☐ PROVIDE A COPY OF THE CURRENT LICENSES AND PERMITS IN ACCORDANCE WITH THE STATE OF NJ (See [www.nj.gov/njbusiness/licenses/](http://www.nj.gov/njbusiness/licenses/)) PLUS MUNICIPAL AND COUNTY LICENSES AND CERTIFICATIONS, IN WHICH YOUR BUSINESS IS LOCATED, AS REQUIRED.

PLEASE NOTE THAT BANK STATEMENTS AND / OR PROFIT AND LOSS STATEMENT MAY BE REQUIRED AFTER THE TRUSTEE'S REVIEW OF THIS CERTIFICATION AND THE DOCUMENTS PROVIDED.

I declare, as the Debtor(s) named above, under penalty of perjury that the foregoing information is true and correct.

- ☒ I have attached all required documents requested (i.e. Tax Returns, 1099-MISCs, Declaration Page for Insurance, License).
- ☒ I read and acknowledge Responsibilities as a Business Debtor ([www.standingtrustee.com/forms](http://www.standingtrustee.com/forms)).
- ☒ I understand that filing this document under the Trustee's Filing System (T.F.S.) constitutes the Participant's signature for purposes of signing the document under Fed. R. Bankr. P. 9011.

/s/ Print Debtor's Name:

John Marcellus

/s/ Print Co-Debtor's Name:

Jessica Marcellus

Dated (mm/dd/yyyy):

09-25-17

## OFFICE OF THE CHAPTER 13 STANDING TRUSTEE

Isabel C. Balboa, Chapter 13 Standing Trustee

## Certification of Business Debtor for Landlord (i.e. Rental Income)

Debtor(s) Name:

John and Jessica Marcellus

Case Number:

17-28350-ABA

E-Mail:

jessicamarcellus@yahoo.com

I, as the Debtor(s) named above, being of full age &amp; duly sworn upon my oath, depose and say:

## OWNERSHIP IN RENTAL PROPERTIES

	Property Address	Name(s) on Deed	Debtor % of Ownership	Mortgage Payment	Mortgage Payoff	Current Value
#1	21 Adams St. Logan Twp, NJ 08835	David P. Brong Jessica L. Russo (Marcellus)	50%	approx \$1670	148,500 approx	132,000 approx
#2						
#3						
#4						
#5						

	Is property currently rented?	Tenant(s) Name	Is there a written Rental	Lease Dates	Rental Amount	Is Property Insurance Current?
#1	N/A ND					
#2						
#3						
#4						
#5						

**Production of Documents**

- ☒ PROVIDE COPIES OF THE LAST TWO (2) YEARS TAX RETURNS, ALONG WITH ALL SUPPORTING SCHEDULES AND STATEMENTS. NOTE: Please redact SS#s (XXX-XX-1234), dependent(s)' names and birth dates.
- ☒ PROVIDE A COPY OF THE CURRENT INSURANCE POLICY DECLARATION PAGE. NOTE: If proof of effective insurance is not provided to the Trustee with ten (10) days prior to the first scheduled 341(a) Meeting of Creditors, the Trustee may move to dismiss this case.
- ☐ PROVIDE COPIES OF ALL BANK STATEMENTS FOR ONE (1) MONTH PRIOR TO FILING FOR EACH TENANT FOR WHICH YOU HOLD A SECURITY DEPOSIT OR SHOW PROOF OF THE SAFEKEEPING OF SUCH DEPOSIT.
- ☐ PROVIDE A COPY OF THE CURRENT RENTAL AGREEMENT WITH ALL PAGES AND SIGNATURES. If there is no rental agreement, provide proof of rent received (i.e. canceled checks, letter from renter(s), and/or copies of bank statements for three (3) months prior to filing).
- ☒ PROVIDE A COPY OF THE CURRENT MORTGAGE PAYOFF STATEMENT SHOWING CURRENT BALANCE DUE AND MONTHLY PAYMENT AMOUNT.
- ☒ PROVIDE A COMPARATIVE MARKET ANALYSIS (CMA) INDICATING THE CURRENT VALUE OF THE PROPERTY. NOTE: A Zillow estimate is not acceptable

I declare, as the Debtor(s) named above, under penalty of perjury that the foregoing information is true and correct.

- ☒ I have attached all the required documents requested.
- ☒ I read and acknowledge Responsibilities as a Business Debtor (See [www.standingtrustee.com/forms](http://www.standingtrustee.com/forms)).
- ☒ I understand that filing this document under the Trustee's Filing System (T.F.S.) constitutes the Participant's signature for purposes of signing the document under Fed. R. Bankr. P. 9011.

/s/ Print Debtor's Name:

John Marcellos

/s/ Print Co-Debtor's Name:

Jessica Marcellos

Dated (mm/dd/yyyy):

9-25-2017